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SENATE BILL 3428 By
Springer

HOUSE BILL 3434
By Jackson

AN ACT to amend Section 5 of Chapter 50 of the Private Acts of 1989 with respect to the exercise of the power of eminent domain by the Greater Dickson Gas Authority.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Section 5 of Chapter 50 of the Private Acts of 1989 is amended by deleting said section in its entirety and by substituting instead the following:

SECTION 5. The Authority is hereby authorized and empowered to condemn in its own name any land, rights in land, easements, and/or rights-of-way situated within the region which, in the judgment of the board of directors, are necessary for carrying out the purposes for which the Authority is created. If such property or interest in such property is owned or held for public use by persons, municipalities or counties having the power of eminent domain, such prior public use will not be interfered with by the use to which such property will be put by the authority and the exercise of such eminent domain power in such case must be approved by a majority of those present and voting of the governing body of the persons, municipality or county within whose jurisdictions said power is exercised. The power of condemnation and eminent domain may be exercised in the manner prescribed by Chapter 16 of Title 29, Part 4 of Chapter 17 of Title 29, Part 7 of Chapter 17 of Title 29, and/or Part 8 of Chapter 17 of Title 29 of Tennessee Code Annotated, or in the manner prescribed by any other statutory provisions now in force or

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hereafter enacted for the exercise of the power of eminent domain by any municipality or county in the state of Tennessee.

SECTION 2. This act shall have no effect unless approved by a two-thirds (2/3) favorable vote of the governing body of the city of Dickson, Tennessee, which action may be by resolution. Its approval or nonapproval shall be proclaimed by the presiding officer of the governing body and certified by such officer to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, as provided in Section 2, it shall be effective upon becoming a law, but for all other purposes, it shall be effective only upon being approved as provided in Section 2, the public welfare requiring it.